

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

RICHARD CATRAMBONE)	
)	Case No. 08-cv-1655
Plaintiff,)	
)	
v.)	Judge Wayne R. Andersen
)	
)	Magistrate Judge Geraldine Soat Brown
THOMAS ADAMS,)	
)	
Defendant.)	

MOTION FOR DEFAULT JUDGMENT

NOW COMES Plaintiff, by his attorneys, Ariel Weissberg, Rakesh Khanna and the law firm of Weissberg and Associates, Ltd., and as his Motion for Default Judgment against Defendant, Thomas Adams, states as follows:

1. On March 20, 2008, Plaintiff filed his Complaint against Defendant, Thomas Adams ("Complaint").
2. On March 31, 2008, Defendant, Thomas Adams was served with the Summons and Complaint. A copy of the Affidavit of Service is attached hereto as Exhibit 1.
3. As of April 21, 2008, Thomas Adams has failed to file an Appearance, Answer or otherwise plead to the Complaint.
4. Pursuant to Rule 55(a) of the Federal Rules of Civil Procedure:
"When a party against whom a judgment for affirmative relief is sought has failed to plead or otherwise defend, and that failure is shown by affidavit or otherwise, the clerk must enter the party's default."

WHEREFORE, Plaintiff, Richard Catrambone, prays as follows:

- A. That this Court enter judgment in Richard Catrambone's favor and against Thomas Adams in an amount to be determined by the court;
- B. That this Court enter a declaration that Thomas Adams is liable for the full amount of the claims of the Great Lakes Building Materials, Inc. Claimants (as defined in the Complaint) based on Thomas Adams' assertion that Great Lakes Building Materials, Inc. was a partnership and that he was a co-equal partner of Richard Catrambone in an amount to be determined by the court; and
- C. For such other and further relief as this court deems just and proper.

RICHARD CATRAMBONE, Plaintiff

By: /s/ Ariel Weissberg
One of his attorneys

Ariel Weissberg, Esq. (03125591)
Rakesh Khanna, Esq. (06243244)
Weissberg and Associates, Ltd.
401 South LaSalle Street, Suite 403
Chicago, IL 60605
T. (312) 663-0004
F. (312) 663-1514

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

RICHARD CATRAMBONE,)	Case No. 08-cv-1655
)	
Plaintiff,)	Judge Andersen
)	
v.)	Magistrate Judge Brown
)	
THOMAS ADAMS,)	
)	
Defendant.)	

NOTICE OF FILING

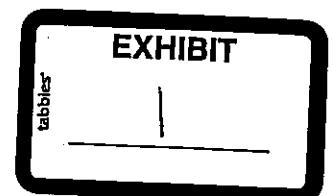
To: Ex Parte

PLEASE TAKE NOTICE THAT on April 3, 2008, we caused to be filed with the Clerk of the United States District Court for the Northern District of Illinois, Eastern Division, **SUMMONS RETURNED EXECUTED**, a copy of which is attached hereto and served upon you.

RICHARD CATRAMBONE, Plaintiff.

By: /s/ Ariel Weissberg
One of his attorneys

Ariel Weissberg, Esq. (No. 03125591)
Rakesh Khanna, Esq. (No. 06243244)
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401 S. LaSalle St., Suite 403
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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS

SUMMONS IN A CIVIL CASE

RICHARD CATRAMBONE

CASE NUMBER:

08CV1655

V.

ASSIGNED JUDGE:

JUDGE ANDERSEN

THOMAS ADAMS

DESIGNATED

MAGISTRATE JUDGE BROWN

MAGISTRATE JUDGE:

TO: (Name and address of Defendant)

Thomas C. Adams
2598 Lakeside Court
Palm Harbor, FL 34684-1718

YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

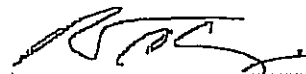
Ariel Weissberg, Esq. :
WEISSBERG AND ASSOCIATES, LTD.
401 S. LaSalle Street, Suite 403
Chicago, IL 60605

an answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

NOTE: When the print dialogue box appears, be sure to uncheck the Annotations option.

MICHAEL W DOBBINS (J PRK)

Michael W. Dobbins, Clerk



(By) DEPUTY CLERK

March 21, 2008

Date



RETURN OF SERVICE

Service of the Summons and complaint was made by me ¹¹¹	DATE <u>3-31-08</u>
NAME OF SERVER (PRINT) <u>Victor Douglas</u>	TITLE

Check one box below to indicate appropriate method of service

☐ Served personally upon the defendant. Place where served: _____

☐ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.

Name of person with whom the summons and complaint were left: _____

☐ Returned unexecuted: _____

☐ Other (specify): Served personally with Thomas C. Adams
at United States District Court 219 S. Dearborn
Street Chicago, IL 60604.

STATEMENT OF SERVICE FEES

TRAVEL	SERVICES	TOTAL
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DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on 3-31-08 Victor Douglas
Date Signature of Server

401 S. LaSalle Street Chicago, IL 60605
Address of Server

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.